UNITED STATES DISTRICT COURT FOR THE DISTRICT OF COLUMBIA

CATHERINE SILVER 6001 Lucente Avenue Suitland, MD 20746 Plaintiff, v. MICHAEL O. LEAVITT, SECRETARY OF THE UNITED STATES DEPARTMENT OF HEALTH AND HUMAN SERVICES 330 Independence Avenue Washington, DC 20201 Defendant.	)	**Case No.: 1:05cv0968**

ORDER

Upon consideration of Plaintiff's Response To Defendant's Motion To Dismiss Or In The Alternative For Summary Judgment And Plaintiff's Cross Motion For Summary Judgment, and any opposition thereto, the Court hereby orders:

ORDERED: that Defendant's Motion to Dismiss or in the Alternative for Summary Judgment is Denied; and it is further

ORDERED: that the Court grant any other relief that it deems appropriate.

SO ORDERED.

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Judge John D. Bates